ORDINANCE NO. 2015-18

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AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL **PROPOSING AMENDMENTS** TO WELLINGTON'S MUNICIPAL CHARTER BY CREATING A NEW SECTION ENTITLED "OCCUPANCY USES PROHIBITED" PROHIBITING HOTELS, MOTELS, CONDO-HOTELS, APARTMENTS WITHIN THE EQUESTRIAN PRESERVE AREA: PROVIDING FOR THE SUBMISSION OF THE PROPOSED CHARTER AMENDMENT TO THE ELECTORS OF WELLINGTON AT THE ELECTION TO BE HELD ON MARCH 15, 2016; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE: PROVIDING FOR PUBLICATION; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, Section 166.031, Florida Statutes, provides that the governing body of a municipality may, by ordinance, submit to the electors of the municipality a proposed amendment to the municipality's charter; and

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WHEREAS, Wellington's Council recognizes that the equestrian preserve area is a vital environmental, economic and cultural resource that merits the fullest protection for future generations against commercial development; and

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WHEREAS, Wellington's Council deems it necessary and advisable for the voters of Wellington to consider amending the charter of the Village of Wellington to prohibit motels, hotel, condo-hotels, apartments within the Equestrian Preserve Area;

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NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON. FLORIDA:

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SECTION 1: A new Section 4A, "Occupancy Uses Prohibited" is hereby proposed to be added as follows:

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A. Certain Land Uses Prohibited. Motels, hotels, condo-hotels, and apartments are prohibited within the Equestrian Preserve Area.

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SECTION 2. The charter amendment proposed by this ordinance shall be submitted to the electors of the Village of Wellington at the election to be held on March 15, 2016 and shall be deemed adopted upon the favorable vote of a majority of the electors voting at that time upon the following question:

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1	REFERENDUM QUESTION NO			
2 3	WELLINGTON CHARTER AMENDMENT			
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5	CERTAIN LAND USES IN THE EQUESTRIAN PRESERVE AREA PROHIBITED			
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8	Shall motels, hotels, condo-hotels and apartments be			
9	prohibited within the Equestrian Preserve?			
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11	Yes			
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13	No			
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15 16	SECTION 3. In the event of adoption by the electorate as provided herein			
17	Wellington's Clerk shall forthwith incorporate the amendment into Wellington's charter by preparing a true copy of new section 4A as amended, and shall file the revised			
18	section with the Florida Department of State, at which time the revised section shall take			
19	effect.			
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21	SECTION 4. Wellington's Clerk shall cause this ordinance to be published once			
22	a week for four consecutive weeks immediately prior to the election on March 15, 2016.			
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24	SECTION 5. Should any section, paragraph, sentence, clause, or phrase of this			
25 26	Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington Ordinance, Resolution, or Municipal Code provision; then in that event the provisions or			
27	this Ordinance shall prevail to the extent of such conflict.			
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29	SECTION 6: Should any section, paragraph, sentence, clause, or phrase of this			
30	Ordinance be declared by a court of competent jurisdiction to be invalid, such decision			
31	shall not affect the validity of this Ordinance as a whole as a whole or any portion or par			
32	thereof, other than the part so declared to be invalid.			
33 34	SECTION 7: This Ordinance shall become effective immediately upon adoption			
35	of the Wellington Council following second reading.			
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37	PASSED this 27 day of October, 2015 upon first reading.			
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1	PASSED AND ADOPTED this $\angle O$ day of	November, 20	15, on second and final
2	reading.		
3	WELLINGTON		
5	0.400	FOR	AGAINST
6	BY: White brooks		
7	Bob Margolis, Mayor		
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9	20h Conny		
10	John Greene, <u>Vice May</u> or		
11	3		
12	NA_HANKULia Oila		
13 14	Matt Willhite, Councilman	_	
15	h Mes		
16	Anne Gerwig, Councilwoman		
17	A a a		
18	John M. Havern	V	
19	John McGovern, Councilman		
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21	ATTEST:		
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23	BY: (Iwilde bodieges		
24	Awilda Rodriguez, Clerk		
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26	ADDDOVED AS TO FORM AND		
27	APPROVED AS TO FORM AND		
28	LEGAL SUFFICIENCY		
29 30	BY: James /		
30 31	Laurie S. Cohen, Village Attorney		
<i>)</i> 1	/ Laurie 3. Corien, Village Autorney		

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